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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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06/15/2005

Daniel Willem Elisabeth Schobben

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EXAMINER

JACKSON, STEVEN L

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/539,321	Applicant(s) SCHOBLEN ET AL.	
	Examiner STEVEN L. JACKSON	Art Unit 4134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/15/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06/15/2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

1. The drawings are objected to because Figures 1, 2, 5 and 6 contain blocks which are not labeled. Examiner recommends labeling all blocks of figures which do not expressly depict a specific object (block diagrams, etc.). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: sections of application were missing appropriate labels (see below).

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Appropriate correction is required. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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3. Claims 7, 9, and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 7 recites the limitation "the identifier" in line 5 of the claim. There is insufficient antecedent basis for this limitation in the claim. Examiner recommends replacing "the identifier" with either "an identifier" or "an identifier of a case of a removable medium".

5. Claim 9 recites the limitation "the identifier" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim. Examiner recommends replacing "the identifier" with either "an identifier" or "an identifier of a case of a removable medium".

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5610893 to *Soga et al.*

As to claim 1, *Soga et al* discloses an electronic device (recording and reproducing apparatus) containing a control unit (controller 2; Figure 1) capable of reproducing content (copying content from a master disk to other disks; refer to column 2, lines 11 – 15), receiving from a detector (medium mounting detection means 26; Figure 6) a signal indicating insertion and of an object (master disk) into an object holder

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(master disk drive unit; refer to Figure 1; column 2, lines 53 – 55; column 11, lines 30 - 37), and is able to use a reproduction means to start reproduction of content from a storage means (master disk) in dependency on the signal from the detector (Figure 7; column 2, lines 56 – 59).

As to claim 5, *Soga et al* further discloses an electronic device as recited in the parent claim, characterized in that the control unit (controller 2; Figure 1) is able to start reproduction upon detecting removal of an object (disk) from an object holder (disk drive unit 51a – 51c; Figure 9; column 17, lines 23 - 35). In particular, if during the process of copying data from the master disk to other disks an error is detected, the error and associated disk are flagged and not ejected upon completion of the copying process.

Once the user ejects the disk from the disk drive unit, the controller proceeds to further steps. In this instance, reproduction is reproducing the program code that makes up the further steps which is only reproduced once removal of the disk from the disk drive unit is detected.

8. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5711672 to *Redford et al*.

As to claim 1, *Redford et al* discloses an electronic device (host device 20; refer to Figure 1) containing a control unit (autostart driver 225; refer to Figure 2) capable of reproducing content (an application; refer to column 2, line 64 – column 3, line 2), receiving from a detector (storage media manager; refer to column 4, lines 10 - 24) a signal indicating insertion and/or removal of an object (removable storage media) into/from an object holder (removable storage media peripheral; refer to column 4; lines

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10 -24), and is able to use a reproduction means to start reproduction of content from a storage means (either the removable media or a local storage media; refer to column 5 lines 8 - 11) in dependency on the signal from the detector (refer to column 4, lines 10 – 24). In particular, the storage media manager of the autostart driver generates a signal indicating when a storage medium is either inserted into or removed from one of the host device's peripherals. The applications manager of the autostart driver then starts or stops applications in dependency on the signal from the storage media manager.

As to claim 8, *Redford et al* further discloses an electronic device as recited in the parent claim, capable of using a reproduction means to start reproduction of content when insertion of an object into an object holder is detected and to stop reproduction of content when removal of an object from an object holder is detected (refer to column 2, line 64 - column 3, line 2).

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1, 4, 10, 11 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6494364 to *Shepard*.

As to claim1, *Shepard* discloses an electronic device (ATM 10; refer to Figure 1) containing a control unit (ATM controller 52; refer to Figure 1; Figure 2) capable of reproducing content (reproducing content in the form of computer programming is

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inherent to the operation of an ATM), receiving from a detector (card width detection sensor 68) a signal indicating insertion of an object (card) into an object holder (throat portion 62; refer to Figure 3; Figure 4; column 4, lines 1 - 5), and is able to use a reproduction means to start reproduction of content from a storage means in dependency on the signal from the detector (refer to column 4, lines 1 - 5). In particular, when a user inserts a card into the throat portion of the slot, the card width detection sensor detects insertion of the card and starts executing programming code on the ATM's hard drive in dependency on that signal. The programming code in this instance commands the shutter to open. It is also inherent to the operation of an ATM that executing programming code is activated by the insertion of the card into the throat portion of the slot. In this instance, the programming code prompts the user for some sort of action (entering a pin, for example). In other words, the program which starts upon inserting a card into the slot (prompting for a secure pin, for example) only starts when a card is inserted into the slot. This event does not occur randomly or spontaneously but rather in reaction to a specific action.

As to claim 4, *Shepard* further discloses an electronic device (ATM 10; refer to Figure 1) as recited in the parent claim, with a control unit (ATM controller 52; refer to Figure 1; Figure 2) capable of receiving a signal indicating a way of inserting an object (card) into an object holder (throat portion 62; refer to Figure 3; Figure 4) and the control unit is able to use the reproduction means to start reproduction of a part of the content in dependency on the way of inserting the object (card) into the object holder (throat portion 62; refer to Figure 3; Figure 4; column 4, lines 21 - 28). In particular, when a user of an

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ATM inserts a card into the slot, the orientation sensor detects the orientation of the card. If the card is inserted in the incorrect orientation the card reader module reproduces a part of programming code that commands ejection of the card. If the card is inserted in the correct orientation, the ATM allows the card to continue entering the slot after which a part of programming is reproduced.

As to claim 10, *Shepard* discloses an object holder (card reader module 50; refer to Figure 3; Figure 4; column 3, line 49 – column 4, line 5), comprising: a detector (card width detection sensor 68) which is able to detect insertion of an object (card) into an object holder (refer to column 4, lines 1 – 5), and able to generate a signal indicating the occurrence and comprising an identifier identifying the object (an identifier of the card is stored in the magnetic stripe of the card; refer to column 4, lines 33 - 36; Figure 1). It is well known to a person of ordinary skill in the art that the magnetic stripe of an ATM card contains information identifying that card allowing the ATM to differentiate between multiple users.

As to claim 11, *Shepard* further discloses an object holder (card reader module 50; refer to Figure 3; Figure 4; column 3, line 49 – column 4, line 5) as recited in the parent claim, characterized in that the object holder is able to allow a way of inserting an object (card) and the detector (orientation sensor 86) is further able to detect the way of inserting the object into the object holder (refer to column 4, lines 21 – 28) and to incorporate an identification of the way of inserting the object into the object holder in the signal (refer to column 4, lines 21 – 28). In particular, when a user of an ATM inserts a card into the slot, the orientation sensor detects the orientation of the card. If the card is

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inserted in the incorrect orientation the card reader module reproduces a part of programming that commands ejection of the card. If the card is inserted in the correct orientation, the ATM allows the card to continue entering the slot after which a part of programming is reproduced. It is inherent to the operation of the card reader module in deciding which action to take based on the orientation of the card (ejecting the card if orientation is incorrect or continue processing the card if orientation is correct) that the card reader module receives a signal to that contains the orientation of the card.

As to claim 12, *Shepard* discloses a system (ATM 10; refer to Figure 1) for reproducing content, comprising: an object holder (card reader module 50; refer to Figure 3; Figure 4; column 3, line 49 – column 4, line 5) which is able to detect insertion of an object (card) into the object holder (refer to column 4, lines 1 – 5), and able to generate a signal indicating the occurrence and comprising an identifier identifying the object (refer to column 4, lines 33 - 36; Figure 1; same rationale as described in rejection of claim 11), and an electronic device (ATM controller 52; refer to Figure 1; Figure 2) which is able to receive the signal from the object holder and to use the reproduction means to start reproduction of content in dependency on the signal (column 4, lines 21 – 28). In particular, it is inherent to the ATM requesting (via the display) for the user to re-orient and then re-insert the card, that the ATM controller receives a signal from the card reader module indicating the information spoken to in the claim. Whether all the information is incorporated into the same signal or into separate signals, is a mere design matter which can be appropriately selected by a person of skill in the art.

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Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 2, 3, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5711672 to *Redford et al* in view of US Patent No. 6437229 to *Nobumoto*.

As to claim 2, *Redford et al* discloses an electronic device for reproducing content as recited in the parent claim, where the object is further defined as a floppy disk (refer to column 4, line 66 – column 5, line 7) and the object holder is further defined as a floppy disk drive (refer to column 13, lines 36 - 50). The outer housing of an optical disk (i.e. floppy disk) is considered a case of the optical disk.

Redford et al does not directly disclose an electronic device with a storage means whereby the control unit is able to store on the storage means content from a removable medium, an identifier of a case of a removable medium, and an association between the two.

Nobumoto discloses an electronic device (digital music server 1; refer to Figure 1) with a storage means and a control unit (digitizer station 2; refer to Figure 1) which is able to store on the storage means content from a removable medium (CD), an identifier of the case of a removable medium (bar code), and an association (a file) between the content and an identifier of a case of the removable media (refer to Figure 2; column 3 line 63 - column 4 line 17).

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Redford et al and *Nobumoto* are analogous art because they are from the same field of endeavor with respect to reproducing content.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a method of automatically detecting insertion of a removable medium into a disk drive for the purposes of digitizing the data and storing the data for later reproduction. The suggestion/motivation would have been to provide quick, easy access to content from the removable medium stored on the electronic device, decreasing the amount of time required to reproduce content from the removable medium by allowing the user to associate the case of the removable medium with the content of the removable medium stored on the electronic device.

As to claim 3, *Redford et al* discloses an electronic device as recited in the parent claims. *Redford et al* further discloses an electronic device (host device 20) which comprises a reader (floppy disk drive; refer to column 13, lines 36 - 50) capable of reading a removable medium (floppy disk; refer to column 4, line 66 – column 5, line 7) and a control unit (autostart driver 436) capable of instructing the reader to read content from a removable medium (refer to column 3 lines 2 – 10; Figure 3A; Figure 3B). In particular, the floppy disk drive is a peripheral to the host device. The storage media manager of the autostart driver sends media commands to the floppy disk drive which reads the inserted storage media. It is inherent to the reading of the inserted storage media by the floppy disk drive that the disk drive contains a reader or could be considered as a whole a reader.

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As to claim 9, *Redford et al* discloses an electronic device for reproducing content as recited in the parent claim.

Redford et al does not expressly disclose a sensing means which can be instructed to obtain an identifier of a case of a removable medium by a control unit.

Nobumoto discloses a control unit (listening station 3; refer to Figure 1) which can instruct a sensing means (bar code reader) to obtain an identifier (bar code) of a case of a removable medium (column 4, lines 29 – 43; column 6 lines 26 – 37; Figure 3).

Redford et al and *Nobumoto* are analogous art because they are from the same field of endeavor with respect to reproducing content.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a method of automatically detecting insertion of a removable medium into a disk drive for the purposes of digitizing and storing data for later reproduction; in particular, the later reproduction being initiated by scanning the bar code of a case of a removable medium. For example, a user selects a CD for reproduction, activates the process of listening to the CD on the listening station, and a step of the process of listening to the CD on the listening station is the control unit commanding the bar code reader to read the bar code information from the CD. The suggestion/motivation would have been to provide quick, easy access to content from the removable medium stored on the electronic device, decreasing the amount of time required to reproduce content from the removable medium by allowing the user to associate the case of the removable medium with the content of the removable medium stored on the electronic device.

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13. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5610893 to *Soga et al* in view of US Patent No 7221849 to *Kusumoto et al*.

As to claim 6, *Soga et al* discloses an electronic unit for reproducing content as recited in the parent claims.

Soga et al does not expressly disclose an electronic device for reproducing content wherein a control unit is able to stop reproduction of content upon detecting insertion of an object into an object holder.

Kusumoto discloses an electronic unit (recording/reproducing apparatus) for reproducing content wherein a control unit (microcomputer block 16; refer to Figure 1) is able to stop reproduction of content (a message prompting insertion of a disk; refer to step S15 of Figure2) upon detecting insertion of an object (disk) into an object holder (disk drive; refer to column 6, lines 23 – 30; Figure 2)

Soga et al and *Kusumoto et al* are analogous art because they are from the same field of endeavor with respect to reproducing content.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a method of automatically detecting insertion of a removable medium into a disk drive for the purposes detecting when a user has sufficiently addressed an error. For example, starting an application on a computer which requires a disk to be present in a disk drive will result in an error message if the appropriate disk is not present in the disk drive. In this example, the error message is a part of content being reproduced; that part being no longer reproduced once detection of the appropriate disk being inserted into the disk drive is accomplished. The suggestion/motivation would

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have been to allow the user to continue using the device once the alert had been appropriately addressed without a need for the user to inform the device that the alert had been addressed; thus, decreasing the amount of time and effort required to continue using the device after satisfying the alert.

14. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5610893 to *Soga et al* in view of US Patent No. 5734630 to *Nishigori et al*.

Soga et al discloses an electronic device for reproducing content as recited in the parent claims.

Soga et al does not expressly disclose an electronic device for reproducing content wherein a control unit is able to receive a signal comprising a further identifier identifying either the object holder or a position in the object holder and to retrieve the identifier from a further storage means using the further identifier.

Nishigori et al discloses an electronic device (disk reproducing device 30; refer to Figure 1) characterized in that the control unit (control unit 68; refer to Figure 1) is able to receive a signal comprising a further identifier identifying the object holder (disk housing space; refer to column 3, lines 1 - 34) and to retrieve the identifier (bar code information) from a further storage means using the further identifier (column 3, line 55 - column 4, line 11).

Soga et al and *Nishigori et al* are analogous art because they are from the same field of endeavor with respect to reproducing content.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine a disk reproducing device having the capability of detecting

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insertion of a removable medium into a drive, starting reproduction of the content based on that detection, and alerting the user of any errors during the reproduction process allowing the user to sufficiently address those errors before proceeding with reproduction; wherein, the reproducing device could store multiple removable mediums and use bar code information and address storage information as a means of selectively retrieving and reproducing content from a multiple of the removable mediums. The suggestion/motivation would have been to allow a user to store multiple removable mediums within the reproducing device requiring less time to insert/remove multiple mediums and quickly find and reproduce content from those mediums.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No 6097683 to *Ohara et al* describes the outer housing of an optical disk as a case (case 202; refer to Figure 14; column 1, lines 19 -26).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN L. JACKSON whose telephone number is (571) 270-7364. The examiner can normally be reached Monday through Thursday, 8:00 AM until 5:00 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lun-Yi Lao can be reached on (571) 272-7671. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/STEVEN L JACKSON/

Examiner, Art Unit 4134

/LUN-YI LAO/

Supervisory Patent Examiner, Art Unit 4134